

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PAUL MARTINKA

Plaintiff,

- against -

FIRST MEDIA POWER GROUP LLC

Defendant.

Docket No. 1:23-cv-1061-PGG

[PROPOSED] DEFAULT JUDGMENT

WHEREAS, this matter came before the Court on plaintiff Paul Martinka (“Plaintiff”)’s application for entry of a default judgment against defendant First Media Power Group LLC (“Defendant”) under Rule 55(b)(2) of the Federal Rules of Civil Procedure and Local Rule 55.2.

WHEREAS, Plaintiff filed his application for entry of default judgment seeking \$30,000.00 in statutory damages for copyright infringement for one registered work, \$840.00 in attorneys’ fees, and \$440.00 in costs;

WHEREAS, Defendant has not filed any opposition to Plaintiff’s application for default judgment. The Court scheduled a default hearing for Plaintiff’s application on _____ at _____, and after service of process was effectuated under L.R. 55.2, Defendant failed to appear in person or by telephone.

THEREFORE, IT IS ADJUDGED AND ORDERED that Plaintiff’s application for entry of default judgment is GRANTED pursuant to Fed.R.Civ.P. 55(b)(2); it is

FURTHER ORDERED that the Court declares that Defendant violated Plaintiff's exclusive rights under 17 U.S.C. § 106 of the Copyright Act by engaging in unauthorized copying of Plaintiff's registered works; it is

FURTHER ORDERED that Defendant shall pay \$30,000.00 in statutory damages under 17 U.S.C. § 504(c); it is

FURTHER ORDERED that Defendant shall pay \$840.00 in attorneys' fees and \$440.00 in costs pursuant to 17 U.S.C. § 505 and Fed.R.Civ.P 54(d); it is

FURTHER ORDERED, that Defendant shall post-judgment interest under 28 U.S.C.A. § 1961; it is

FURTHER ORDERED that this Court retains jurisdiction over any matter pertaining to this judgment; and it is

FURTHER ORDERED that this case is dismissed and the Clerk of the Court shall remove it from the docket of the Court.

This is a final appealable order. *See* FED. R. APP. P. 4(a).

Dated: _____

SO ORDERED.

Paul G. Gardephe (U.S.D.J.)